

Debtor **NATHAN ALIN TYLER**  
**TANYA LYNNE TYLER**

United States Bankruptcy Court for the **MIDDLE DISTRICT OF TENNESSEE**  
[Bankruptcy district]

☐ Check if this is an  
amended plan

Case number: \_\_\_\_\_

## Chapter 13 Plan

### Part 1: Notices

**To Debtor(s):** This form sets out options that are appropriate in some cases but not in others. The presence of an option does not indicate that the option is appropriate in your circumstances.

**To Creditors:** Your rights are affected by this plan. Your claim may be reduced, modified, or eliminated.

If you oppose the treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 5 days before the meeting of creditors or raise an objection on the record at the meeting of creditors. The Bankruptcy Court may confirm this plan without further notice if no timely objection to confirmation is made. In addition, a timely proof of claim must be filed before your claim will be paid under the plan.

Debtor(s) must check one box on each line to state whether the plan includes each of the following items. If an item is not checked as "Included" or if both boxes are checked, the provision will not be effective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in § 3.2, which may result in partial payment or no payment to the secured creditor.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 3.4.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 9.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

### Part 2: Plan Payments and Length of Plan

**2.1 Debtor(s) will make payments to the trustee as follows:**

Payments made by	Amount of each payment	Frequency of payments	Duration of payments	Method of payment
<input checked="" type="checkbox"/> Debtor 1	<b>\$1,352.00</b>	<b>Semi-Monthly</b>	<b>60</b> months	<input checked="" type="checkbox"/> Debtor will make payment directly to trustee
<input type="checkbox"/> Debtor 2				<input type="checkbox"/> Debtor consents to payroll deduction from:

**2.2 Income tax refunds.**

Check one.

- ☒ Debtor(s) will retain any income tax refunds received during the plan term.
- ☐ Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.
- ☐ Debtor(s) will treat income refunds as follows:

**2.3 Additional payments.**

Check one.

- ☒ **None.** If "None" is checked, the rest of § 2.3 need not be completed or reproduced.

**2.4 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.3 is \$162,240.00.**

### Part 3: Treatment of Secured Claims

**3.1 Maintenance of payments and cure of default.** Check one.

- ☐ **None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- ☒ Installment payments on the secured claims listed below will be maintained, and any arrearage through the month of

confirmation will be paid in full as stated below. Both the installment payments and the amounts to cure the arrearage will be disbursed by the trustee.

Amounts stated on a proof of claim filed in accordance with the Bankruptcy Rules control over any contrary amounts listed below as to the current installment payment and arrearage. After confirmation of the plan, the trustee shall adjust the installment payments below in accordance with any such proof of claim and any Notice of Mortgage Payment Change filed under Rule 3002.1. The trustee shall adjust the plan payment in Part 2 in accordance with any adjustment to an installment payment and shall file a notice of the adjustment and deliver a copy to the debtor, the debtor's attorney, the creditor, and the U.S. Trustee, but if an adjustment is less than \$25 per month, the trustee shall have the discretion to adjust only the installment payment without adjusting the payments under Part 2. The trustee is further authorized to pay any postpetition fee, expense, or charge, notice of which is filed under Bankruptcy Rule 3002.1 and as to which no objection is raised, at the same disbursement level as the arrearage.

Confirmation of this Plan imposes on any claim holder listed below the obligation to:

- Apply arrearage payments received from the trustee only to such arrearages.
- Treat the obligation as current at confirmation such that future payments, if made pursuant to the plan, shall not be subject to late fees, penalties, or other charges.

If relief from the automatic stay is ordered as to any collateral listed below, all payments under this section to creditors secured by that collateral will cease.

Name of Creditor	Collateral	Current installment payment (including escrow)	Amount of arrearage, if any	Interest rate on arrearage (if applicable)	Monthly payment on arrearage, if any
M & T Bank	802 ALLISON CT Mount Juliet, TN 37122 Wilson County	\$1,523.14	Prepetition: \$3,046.00 Gap payments: \$1,523.14 Last month in gap: JULY 2019	0.00%	\$0.00
VILLAGES OF CEDAR CREEK	HOMEOWNERS ASSOCIATION	\$15.00	Prepetition: \$0.00 Gap payments: \$15.00 Last month in gap: JULY 2019	0.00%	\$0.00

### 3.2 Request for valuation of security and claim modification. *Check one.*

☐ **None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.  
**The remainder of this paragraph will be effective only if the applicable box in § 1. is checked.**

☒ For each claim listed below, the debtor(s) request that the court determine the value of the creditor's interest in any property securing the claim based on the amount stated in the column headed Value securing claim. If this amount exceeds any allowed claim amount, the claim will be paid in full with interest at the rate stated below. If the amount is less than the allowed claim amount, the claim will be paid the full value securing the claim, with interest at the rate stated below.

The portion of any allowed claim that exceeds the value securing the claim will be treated as an unsecured claim under § 5.1. If the value securing a creditor's claim is listed below as zero or no value, the creditor's allowed claim will be treated entirely as an unsecured claim under § 5.1. The avoidance of any lien because it is not secured by any value must be addressed in Part 9. The amount of a creditor's total claim stated on a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount stated below.

The holder of any claim listed below as secured by any value will retain the lien until the earlier of:

- payment of the underlying debt determined under nonbankruptcy law, or
- discharge under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

If relief from the automatic stay is ordered as to any collateral listed below, all payments under this section to creditors secured by that collateral will cease.

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Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of collateral	Amount of claims senior to creditor's claim	Value securing claim	Interest rate	Monthly payment
<b>PARTHEN ON FEDERAL CREDIT UNION</b>	<b>\$16,064.00</b>	<b>2013 CHEVROLET CAMARO 60,000 miles OVER 910</b>	<b>\$14,225.00</b>	<b>\$0.00</b>	<b>\$14,225.00</b>	<b>5.50%</b>	<b>\$271.00</b>

**3.3 Secured claims excluded from 11 U.S.C. § 506. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.  
☒ The claims listed below were either:

- (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or  
 (2) incurred within 1 year before the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full through the trustee as stated below. The claim amount stated on a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below.

If relief from the automatic stay is ordered as to any collateral listed below, all payments under this section to creditors secured by that collateral will cease.

Name of Creditor	Collateral	Amount of claim	Interest rate	Monthly plan payment
<b>IAFCO</b>	<b>TBD RMP: \$375.00</b>	<b>\$13,578.00</b>	<b>22.00%</b>	<b>\$375.00</b>

**3.4 Lien avoidance. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.  
**The remainder of this section will be effective only if the applicable box in § 1.2 is checked**

- ☒ The judicial liens or nonpossessory, nonpurchase money security interests listed below impair exemptions to which the debtor(s) would be entitled under 11 U.S.C. § 522(b). The judicial liens or security interests listed below will be avoided to the extent they impair exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim under § 5.1. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan.

Information regarding judicial lien or security interest	Calculation of lien avoidance	Treatment of remaining secured claim
<b>Name of Creditor</b> <b>World Acceptance Corp</b>	a. Amount of lien <b>\$2,028.00</b>	<b>Amount of secured claim after avoidance (line a minus line f)</b> <b>\$0.00</b>
<b>Collateral</b> <b>VOID LIEN TELEVISION</b>	b. Amount of all other liens <b>\$0.00</b> c. Value of claimed exemptions <b>\$500.00</b> d. Total of adding lines a, b, and c <b>\$2,528.00</b>	<b>Interest rate (if applicable)</b> <b>0.00 %</b>
<b>Lien identification</b> (such as judgment date, date of lien recording, book and page number) <b>Agreement, VOID LIEN</b> <b>Opened 04/19 Last Active 5/31/19</b>	e. Value of debtor's interest in property <b>-\$500.00</b> f. Subtract line e from line d. <b>\$2,028.00</b>	<b>Monthly plan payment</b> <b>\$0.00</b>
	Extent of exemption impairment (Check applicable box) <input checked="" type="checkbox"/> <b>Line f is equal to or greater than line a.</b> The entire lien is avoided (Do not complete the next column)	<b>Estimated total payments on secured claim</b> <b>\$0.00</b>

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Information regarding judicial lien or security interest	Calculation of lien avoidance	Treatment of remaining secured claim
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- ☐ **Line f is less than line a.**  
A portion of the lien is avoided. (Complete the next column)

**3.5 Surrender of collateral. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.
- ☒ The debtor(s) surrender to each creditor below the listed collateral. Upon confirmation of this plan the stay under 11 U.S.C. § 362(a) will be terminated as to the collateral only and the stay under § 1301 will be terminated in all respects. Any allowed unsecured claim resulting from disposition of surrendered collateral will be treated as an unsecured claim under § 5.1.

Name of Creditor	Collateral	Anticipated Deficiency
Credit Acceptance	2008 JEEP COMMANDER 128,000 miles SURRENDER	\$2,909.00

**Part 4: Treatment of Priority Claims (including Attorney's Fees and Domestic Support Obligations)****4.1 Attorney's fees.**

The balance of the fees owed to the attorney for the debtor(s) is estimated to be **\$4,250.00**. The remaining fees and any additional fees that may be awarded shall be paid through the trustee as specified below. Check one.

- ☒ The attorney for the debtor(s) shall receive a monthly payment of \$108.00
- ☐ The attorney for the debtor(s) shall receive available funds.

**4.2 Domestic support obligations.****(a) Pre- and postpetition domestic support obligations to be paid in full. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 4.2(a) need not be completed or reproduced.
- ☒ The debtor(s) will maintain postpetition payments on the domestic support obligation(s) listed below. These payments will be disbursed either by the trustee or directly by the debtor, as specified. Any arrearage on a listed claim will be paid in full through the trustee. If no monthly payment is stated, the trustee will disburse available funds to cure the arrearage. Amounts stated on a proof of claim filed in accordance with the Bankruptcy Rules control over any contrary amounts listed below as to the postpetition payment and arrearage. Unless a proof of claim filed in accordance with the Bankruptcy Rules states an arrearage through a later month, the arrearage will only include amounts due as of the petition date.

Name of Creditor	Current monthly payment	Amount of arrearage, if any	Monthly payment on arrearage, if any	When ongoing obligation terminates
MICHIGAN CHILD SUPPORT	\$698.00	\$0.00	\$0.00	N/A
Disbursed by:				
<input type="checkbox"/> Trustee				
<input checked="" type="checkbox"/> Debtor(s)				

**(b) Domestic support obligations assigned or owed to a governmental unit and paid less than full amount. Check one.**

- ☒ **None.** If "None" is checked, the rest of § 4.2(b) need not be completed or reproduced.

**4.3 Other priority claims. Check one.**

- ☐ **None.** If "None" is checked, the rest of § 4.3 need not be completed or reproduced.
- ☒ The priority claims listed below will be paid in full through the trustee. Amounts stated on a proof of claim filed in accordance with the Bankruptcy Rules control over any contrary amounts listed below.

Name of Creditor	Estimated amount of claim to be paid
FILING FEE	\$310.00

**Part 5: Treatment of Nonpriority Unsecured Claims and Postpetition Claims****5.1 Nonpriority unsecured claims not separately classified.**

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Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. Check all that apply.

- ☐ The sum of \$
- ☒ **20.00%** of the total amount of these claims.
- ☐ The funds remaining after disbursements have been made to all other creditors provided for in this plan.

## 5.2 Interest on allowed nonpriority unsecured claims not separately classified. Check one.

- ☒ **None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

## 5.3 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.

- ☒ **None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

## 5.4 Separately classified nonpriority unsecured claims. Check one.

- ☒ **None.** If "None" is checked, the rest of § 5.4 need not be completed or reproduced.

## 5.5 Postpetition claims allowed under 11 U.S.C. § 1305.

Claims allowed under 11 U.S.C. § 1305 will be paid in full through the trustee.

### Part 6: Executory Contracts and Unexpired Leases

#### 6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.

- ☒ Assumed items. Current installment payments will be disbursed either by the trustee or directly by the debtor, as specified below. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor.

Name of Creditor	Description of leased property or executory contract	Treatment (Refer to other plan section if applicable)	Current installment payment	Amount of arrearage to be paid	Estimated total payments by trustee
AARONS	DRYER	ASSUME	\$76.00	\$0.00	\$500.00
			Disbursed by:		
			<input checked="" type="checkbox"/> Trustee		
			<input type="checkbox"/> Debtor(s)		
PROGRESSIVE LEASING	SECTIONAL SOFA	ASSUME	\$200.00	\$0.00	\$2,000.00
			Disbursed by:		
			<input checked="" type="checkbox"/> Trustee		
			<input type="checkbox"/> Debtor(s)		

### Part 7: Order of Distribution of Available Funds by Trustee

#### 7.1 The trustee will make monthly disbursements of available funds in the order specified. Check one.

- ☐ Regular order of distribution:
- ☒ Alternative order of distribution:

CLASS I - FILING FEE  
CLASS II - NOTICE FEE  
CLASS III - IAFCO  
CLASS IV - VEHICLE  
CLASS V - MORTGAGE / HOA  
CLASS VI - LEASES

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**CLASS VII - ATTORNEY FEE (ALL FUNDS)  
CLASS VIII - MTG ARREARS / GAP & HOA GAP  
CLASS IX - SUCCESS INCENTIVE  
CLASS X - GENERAL UNSECURED  
CLASS XI - 1305 CLAIMS**

**Part 8: Vesting of Property of the Estate**

**8.1 Property of the estate will vest in the debtor(s) upon discharge or closing of the case, whichever occurs earlier, unless an alternative vesting date is selected below. Check the applicable box to select an alternative vesting date:**

*Check the applicable box:*

- ☐ plan confirmation.  
☐ other: \_\_\_\_\_

**Part 9: Nonstandard Plan Provisions**

☒ **None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

**Part 10: Signatures:**

X	<u>/s/ Daniel T. Castagna</u> Daniel T. Castagna 22721 Signature of Attorney for Debtor(s)	Date	<u>June 28, 2019</u>
X	<u>/s/ NATHAN ALIN TYLER</u> NATHAN ALIN TYLER	Date	<u>June 28, 2019</u>
X	<u>/s/ TANYA LYNNE TYLER</u> TANYA LYNNE TYLER	Date	<u>June 28, 2019</u>

Signature(s) of Debtor(s) (required if not represented by an attorney; otherwise optional)

By filing this document, the Attorney for Debtor(s) or Debtor(s) themselves, if not represented by an attorney, also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in the form required under the Local Rules for the Bankruptcy Court for the Middle District of Tennessee, other than any nonstandard provisions included in Part 9.